

ATTACHMENT 3

**Supplemental Environmental Project
Scope of Work**

SEP SOW

I. PURPOSE

Consistent with and as provided in the May 1, 1998 “Final Supplemental Environmental Projects Policy,” the Supplemental Environmental Project (“SEP”) described herein is an environmentally beneficial project which Defendant has agreed to undertake as part of the settlement of *United States et al. v. AK Steel Corporation*, Civil Action No. C-1-00530 (S.D. Ohio), but which Defendant is not otherwise legally required to perform.

II. BUSINESS CONFIDENTIALITY

Pursuant to 40 C.F.R. § 2.203, Defendant may submit a claim of confidentiality for any document or information submitted pursuant to this Scope of Work or under the attached Consent Decree. Failure to make a confidentiality claim, including the submission of a redacted copy of the document in question, at the time the document is submitted shall constitute a waiver of such claim. Defendant shall not assert a claim of confidentiality with respect to any sampling, monitoring or analytical data.

III. REFRIGERANT CONVERSION SEP

A. Project Description

Defendant shall permanently convert certain refrigeration units at the Facility from higher Ozone Depleting Potential (ODP) to lower or no ODP, through either replacement or retrofit, as provided below in this SOW.

1. Defendant shall recover, inventory and properly destroy the refrigerant currently used in the “EGL Chiller 389” (identified as Unit No. 1 on the table set forth below), and Defendant shall convert the EGL Chiller 389 to use a refrigerant that is neither a Class I nor a Class II refrigerant.

2. Except as provided in Paragraphs III.A.3 and 5, below, Defendant shall recover, inventory and properly destroy the refrigerant currently used in the cooling system for each of the crane units identified as Unit Nos. 2 through 8 on the table set forth below, and Defendant shall convert such crane units to use a Class II refrigerant or a refrigerant with no ODP.

Unit Number	Unit Name	Pre-Conversion Refrigerant	Pre-Conversion Refrigerant Capacity (pounds)
1	EGL Chiller 389	R-11	850
2	HSM Crane Unit 303	R-114	45
3	HSM Crane Unit 310	R-114	45
4	HSM Crane Unit 311	R-114	45
5	HSM Crane Unit 312	R-114	45
6	BOF Crane Unit 502	R-114	45
7	BOF Crane Unit 504	R-114	45
8	Caster Crane Unit 532	R-114	45

3. In lieu of converting one or more of the crane units referred to in Paragraph III.A.2, above, Defendant may elect to recover, inventory and properly dispose of ODP refrigerants from other refrigerant containing device(s) at the Facility, and convert such refrigerant containing devices from higher ODP to lower or no ODP, provided:

- a. Defendant provides a written justification for the substitution in the quarterly report submitted pursuant to Paragraph III.D below (Periodic Reports), prior to the quarter in which the conversion is to proceed and Defendant receives prior written approval from EPA that the substitution is appropriate;
- b. Defendant identifies the unit, pre-conversion refrigerant, pre-conversion refrigerant charge in pounds, post-conversion refrigerant, and post-conversion refrigerant charge in pounds; and
- c. Defendant provides a written certification that the certification provided pursuant to Paragraph 28 of the Consent Decree is applicable to the proposed substitution, and that the proposed substitution is in compliance with all applicable provisions of 40 C.F.R. Part 82. Under no circumstances is the Defendant relieved of complying with the repair, retrofitting or retirement provisions of 40 C.F.R. Part 82.

4. Defendant will send for proper off-site destruction all Class I and Class II substances extracted from any unit at the Facility in performance of this SEP. Evidence of refrigerant destruction is to be provided by means of shipping and destruction records certified by Defendant and any third party used in this process.

5. Defendant shall continue converting refrigeration units at the Facility until the total costs incurred under Paragraphs III.A.1 through III.A.4 is no less than \$750,000.

B. SCHEDULE

1. Defendant will initiate this refrigerant conversion SEP within ninety (90) days of entry of this Consent Decree. For purposes of this paragraph, initiation of the SEP shall refer to the initiation of bid solicitations for the work required under this SOW.

2. Defendant shall complete all refrigerant unit conversions required pursuant to this SEP within twenty-four (24) months after initiation of the SEP.

C. COSTS

The costs for this SEP shall total no less than \$750,000.

D. PERIODIC REPORTS

Defendant shall submit to Plaintiffs quarterly status reports regarding its performance of this SEP. Such reports must be received by Plaintiffs no later than: April 30 (for the period starting January 1 through March 31); July 31 (for April 1 through June 30); October 31 (for July 1 through September 30); and January 31 (for October 1 through December 31). Such quarterly reports shall continue until Defendant submits the SEP Completion Report. Each status report shall, at a minimum, contain the following information:

1. A narrative description of the work completed in the past calendar quarter and the actions taken by Defendant towards implementing the SEP, including, for each unit converted: whether the unit was replaced or retrofitted, a listing of the post-conversion refrigerant used and the total post-conversion refrigerant charge;
2. The amount of pre-conversion refrigerant that was destroyed and the name, address and telephone number of the company that destroyed the refrigerant;
3. A running total of expenditures to date;
4. A proposed schedule and description of all activities projected for the next quarterly reporting period, including any unit substitutions;
5. a description of any problems and/or delays encountered or anticipated directly or indirectly resulting from implementation of the SEP; and
6. a description of any actions taken to prevent or mitigate such problems and (if applicable) a proposed modified completion schedule.